IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICITON

NOTICE OF MOTION NO.2318 OF 2005
IN
INCOME TAX APPEAL (L) NO.1006 OF 2005

The Commissioner of Income Tax .. Applicant.

Versus

M/s.Dainty Investment .. Respondent.

Mr.Ashok Kotangale for the applicant.

Mr.J.D. Mistry with Mr.Raj Darak for the respondent.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 28th AUGUST, 2007.

P.C. :

1. There is delay of 204 days. The tax effect is over Rs.19,00,000/-. There is no reply filed by the respondent to oppose the contents of affidavit in support of the notice of motion.

2. Even otherwise, we find that the cause shown would amount to sufficient cause. Hence, delay condoned. The notice of motion is made absolute in terms of prayer clause (a).

3. Office to register the appeal.

(J.P. DEVADHAR, J.) (F.I. REBELLO, J.)